

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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[amended proposed]
JUDGMENT

In re: New York City Policing During Summer 2020
Demonstrations

This filing relates solely to
Cameron Yates v. New York
City, NYPD Chief of Patrol
Fausto Pichardo, John Doe
##1-5, 21-CV-1904(CM)(GWG)

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Defendants New York City, NYPD Chief of Patrol Fausto Pichardo and any defendant who is currently or subsequently named and hereafter represented by the Office of the Corporation Counsel in this action having offered Plaintiff Cameron Yates on March 6, 2022 to take a judgment against the City of New York in this action for the total sum of Fifteen Thousand and One (\$15,001.00) Dollars, plus reasonable attorneys' fees, expenses, and costs to the date of this offer for plaintiff's federal claims, and Plaintiff having served and filed acceptance of such offer, it is

ORDERED, ADJUDGED AND DECREED that judgment is entered Pursuant to Rule 68 of the Federal Rules of Civil Procedure for the total sum of Fifteen Thousand and One (\$15,001.00) Dollars, plus reasonable attorneys' fees, expenses, and costs to March 6, 2022;

That this Judgment shall be in full satisfaction of all federal and state law claims or rights that Plaintiff may have to damages, or any other form of relief, arising out of the alleged acts or omissions of defendants or any official, employee, or agent, either past or present, of the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action;

That the Offer of Judgment is not to be construed as an admission of liability by defendants or any official, employee, or agent of the City of New York, or any agency thereof, nor is it an admission that Plaintiff has suffered any damages;

That this Judgment will act to release and discharge defendants, their successors or assigns, and all past and present officials, employees, representatives, and agents of the City of New York, or any agency thereof, from any and all claims that were or could have been alleged by plaintiff arising out of the facts and circumstances that are the subject of this action;

That acceptance of this offer of judgment also will operate to waive Plaintiff's rights to any claim for interest on the amount of the Judgment;

That Plaintiff Cameron Yates agrees that payment of Fifteen Thousand and One (\$15,001.00) Dollars within ninety (90) days of the date of acceptance of the offer shall be a reasonable time for such payment, unless Plaintiff received medical treatment in connection with the underlying claims in this case for which Medicare has provided, or will provide, payment in full or in part; that if Plaintiff Cameron Yates is a Medicare recipient who received medical treatment in connection with the claims in this case, the ninety (90) day period for payment shall start to run from the date Plaintiff submits to counsel for defendants a final demand letter from Medicare, and;

That Plaintiff Cameron Yates shall resolve any claim that Medicare may have for reimbursement of conditional payments it has made as secondary payer, and a Medicare Set-Aside Trust shall be created, if required by 42 U.S.C. § 1395y(b) and 42 C.F.R. §§ 411.22 through 411.26 and shall hold harmless defendants and all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, regarding any past

and/or future Medicare payments, presently known or unknown, made in connection with this matter.

Dated:

Colleen McMahon
United States District Judge